

1904, art. 93, sec. 251. 1888, art. 93, sec. 247. 1860, art. 93, sec. 247.
1802, ch. 101, sec. 6.

252. If in the case mentioned in the preceding section, there has been a judgment rendered previous to the revocation of the letters, a *scire facias* shall issue upon such judgment against the proper executor or administrator, suggesting the revocation of the letters of the former executor or administrator, and there shall be the same proceedings as in ordinary cases against executors and administrators.

Ibid. sec. 252. 1888, art. 93, sec. 248. 1860, art. 93, sec. 248.
1802, ch. 101, sec. 7.

253. If a judgment shall be obtained against an executor or administrator who has been made a party to a suit in the place of an executor or administrator whose letters have been revoked, and it shall not be found by the jury that the executor or administrator against whom such judgment has been rendered has assets sufficient to discharge the same, the plaintiff in such judgment may also issue a *scire facias* on such judgment against the executor or administrator whose letters have been revoked, suggesting that such executor or administrator did receive assets of the deceased, liable to such judgment, more than was paid over or delivered by such executor or administrator, to the persons obtaining the said letters testamentary or of administration; and if the same shall be controverted, it shall be ascertained by a jury in the same manner as in cases of *scire facias* suggesting assets against the second executor or administrator; and in case of a verdict and judgment being given against such former executor or administrator, execution may issue thereon in the same manner as against other executors or administrators, and the plaintiff may also sue the bond of such former executor or administrator.

Ibid. sec. 253. 1888, art. 93, sec. 249. 1860, art. 93, sec. 249.
1798, ch. 101, sub-ch. 15, sec. 16. 1892, ch. 275.

254. The orphans' court may, in all cases of controversy therein, upon the application of either party, direct plenary proceedings by bill or petition, to which there shall be an answer on oath, and if the party refuse to answer any matter alleged in the bill or petition, proper for the court to decide upon, he may be attached, fined and committed, or his property may be attached and sequestered; and the appearance of the defendant or defendants to such bill or petition may be compelled by writ of summons, order of publication or attachment, as such appearance is now compelled to bills and petitions in the circuit court for the counties, as courts of equity, and the judges of the orphans' court and register of wills shall have the same authority to order, issue and attest such process respectively as the judges and clerks of said circuit courts now have respectively, in cases in their courts.

Wherever a bill or petition is filed, whether or not the other parties are cited to appear, if they do appear and answer, the proceeding is plenary. *Pegg v. Warford*, 4 Md. 396. And see *Stonesifer v. Shriver*, 100 Md. 28; *Daugherty v. Daugherty*, 82 Md. 232; *Bowling v. Estep*, 56 Md. 567; *Hub-*